

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.146 OF 2007

Maharaj Kumar Digvijaysinghji Dilipsinghji (Since deceased) through LRs & Ors.	.. Petitioners.
Vs.	
M/s.Extrusion Process Pvt. Ltd. & Ors.	.. Respondents.

Mr.P.R.Naidu for the petitioners.
Mr.Shekhar Shetye i/b B.Amin & Co. for respondent
nos.1 to 3.

CORAM : D.B.BHOSALE, J.

DATED : 25TH JANUARY, 2007

P.C.:

. Heard learned counsel for the parties.

2. By this writ petition, the petitioners have impugned the order dated 27.11.2006 by which the notice taken out by the petitioners seeking directions to the defendants to fix a date for inspection of the suit property and to take photographs has been discharged. I perused the application as also the affidavit in reply filed by the respondents. Having considered the overall facts and circumstances of the case I am satisfied that the learned Judge ought to have allowed the notice. The learned counsel for the parties fairly stated that I need not record reasons

for arriving at this conclusion. Hence I pass the following order:

. The petitioners-plaintiffs are allowed to take inspection of the suit property as described in paragraph 1 of the plaint after giving notice to the defendants within a period of four weeks. It is open for the plaintiffs to take photographs of the suit property. The plaintiffs shall give atleast a week's notice to the respondents for carrying out inspection as aforestated. The respondents- defendants shall co-operate for carrying out inspection as per this order. With these observations the petition is disposed of.

. The parties to act on authenticated copy of this order.

(D.B.Bhosale, J.)